

Focused Monitoring Report for Southwest Vermont Supervisory Union



On-site Review: March 17-21, 2008



Student Support Division

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Table of Contents

I. Description of Monitoring Authority and Focused Monitoring	3
II. Focused Monitoring Methodology	6
III. Supervisory Union Background.....	8
IV. Commendations for the LEA Related to the Indicators	10
V. LEA Findings Related to the Indicators	11
VI. Areas of Concern Related to the Indicators.....	16
VII. Non-Compliance in Related Requirements	17
VIII. Improvement Plan Process	18

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The monitoring team wants to thank everyone in the supervisory union for being gracious and flexible hosts.

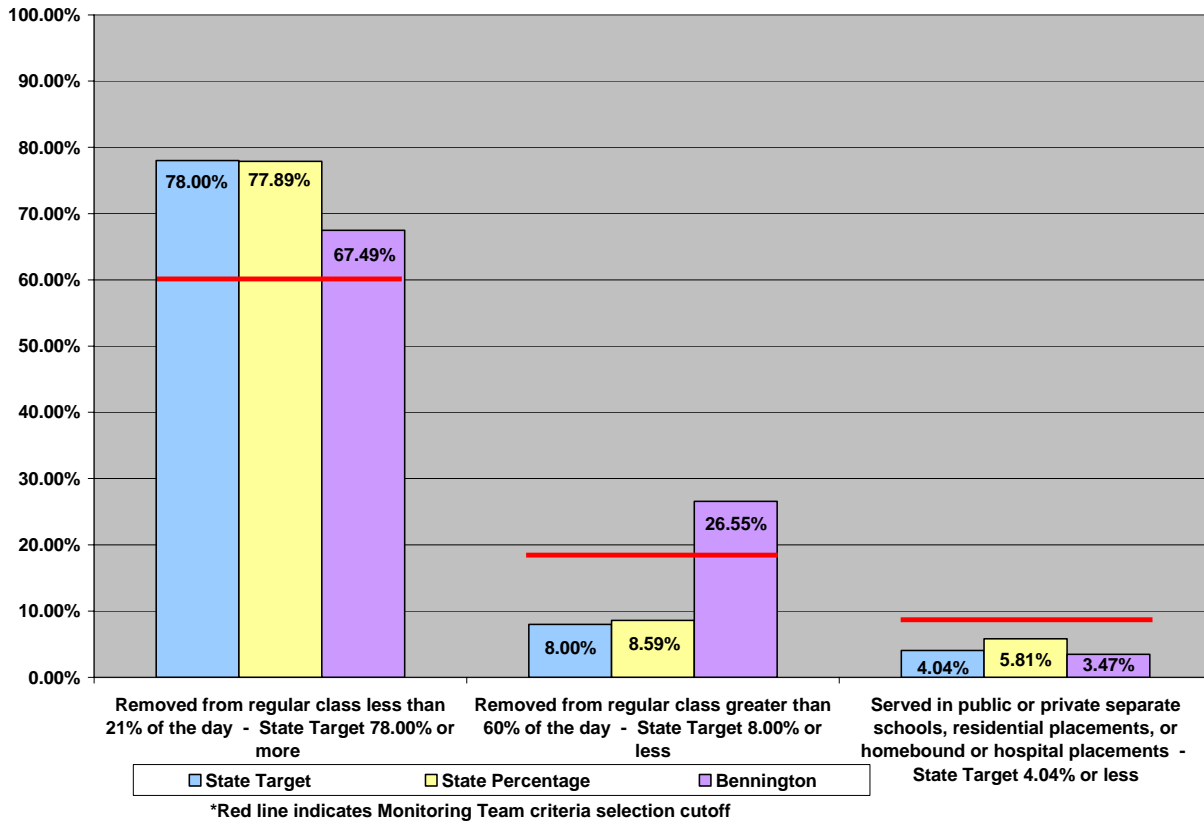
I. Description of Monitoring Authority and Focused Monitoring

The Individuals with Disabilities Education Act (IDEA), (20 U.S.C. 1400 (c)(1)), provides federal funds to assist states in educating children with disabilities and requires each participating state to ensure that school districts and other publicly-funded educational agencies in the state comply with the requirements of IDEA and its implementing regulations. Further, Section 616 of IDEA states that the primary focus of Federal and State monitoring activities shall be on improving education results and functional outcomes for all children with disabilities and ensuring that States meet the program requirements with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities. Vermont state law requires local education agencies to provide appropriate special education and related services and requires the Vermont Department of Education (VTDOE) to establish, monitor, and enforce regulations governing special education programs in the Vermont public schools and all institutions wholly or partly supported by the state. The state has adopted regulations implementing those requirements which are administered by VTDOE. VTDOE supervises and conducts the general supervision process in furtherance of the state's obligations under IDEA and Vermont law.

Focused Monitoring is a new approach to assess compliance with federal and state special education law and regulations while also addressing critical performance areas. It is a shift from a culture of compliance to a culture of accountability. It places the focus of a monitoring review on results versus process. The principles of Focused Monitoring are identified as follows:

- Focused Monitoring includes a limited number of priorities chosen by a diverse group of stakeholders.
- Available data are used to select priorities that will improve student educational performance, increase independence for children with disabilities, and lead to full participation in society.
- A limited number of indicators are identified within each priority area and are used as the basis for district ranking and selection for on-site reviews. For 2007-2008, the stakeholder group chose State Performance Plan (SPP) Indicators 5 and 6 regarding placement in the least restrictive environment (LRE) for children ages 3-5 and students aged 6-21. The following graph details the State of Vermont target and Bennington performance for 2006-2007.

State School Age Target Data - Bennington
2006-2007



- A Focused Monitoring system is data and information-based. Data-based information is used to allocate limited resources in the direction of most need, which are determined by identifying what is most likely to lead to improvement in student performance.
- There is a relationship between monitoring and corrective actions—solutions are linked to identified problems. Corrective actions are designed to create systemic changes that result in improved student performance.
- Families have the opportunity to provide information on a continuous basis.

II. Focused Monitoring Methodology

The Bennington town district was selected for an on-site visit based upon their performance in the SPP indicators 5 and 6 regarding Least Restrictive Environment (LRE). Once on site, the team extended the review to the Southwest Vermont Supervisory Union due to the supervisory union model for special education programs. The on-site Focused Monitoring review was conducted with the Southwest Vermont Supervisory Union (SVSU) during the week of March 17-21, 2008. The team visited 5 elementary schools in Bennington, North Bennington and Pownal; 1 middle school and 1 high school in SVSU. The Monitoring Team reviewed and analyzed the following data prior to and during the on-site review.

Data Reviewed

- Bennington town district LRE data by disability, educational environment/ placement code, grade, and school building
- SVSU Least Restrictive Environment (LRE) data by disability, educational environment/ placement code, grade, and school building
- Vermont Agency of Human Services Community Profile 2006
- 2006-2007 SVSU State of the District Report
- Local Report of State Performance Plan indicators
- Special education policies/procedures/forms/practices
- Family/school collaboration related to LRE via parent forum and interviews

Forum

A forum based on families' experiences with placement decisions in SVSU was held on March 17, 2008 for parents of students with disabilities. SVSU provided documentation of adequate and appropriate public notice advertising the forum. The forum was attended by five parents of students with disabilities. In addition to the forum, eleven parents were interviewed in person and over the phone.

On-Site Interviews

Interviews were conducted with thirteen general and special education administrators, from school and supervisory union level, twenty-three general and special education teachers, and 1 school board member.

Record Reviews

Record reviews were conducted for twenty students with Individualized Education Programs (IEPs).

Classroom Observations

Classroom observations were conducted in each of the alternative programs:

- 1. Alternative Learning Program (K-2)**
- 2. ACORNS – Autism Program (K-5)**
- 3. PLUS Program – Alternative ED (K-12)**
- 4. IDEALS Program – Molly Stark (K-5)**
- 5. IDEALS Program – Pownal (K-6)**
- 6. IDEALS Program – Middle School (6-8)**
- 7. IDEALS Program – High School (9-12)**
- 8. Autism Spectrum Disorder Program – Middle School (9-12)**
- 9. As well, observations were conducted in two middle school and one high school classrooms in which general and special educators collaboratively teach the course.**

III. Supervisory Union Background

The following information is taken from the 2006 Agency of Human Services (AHS) Community Profile and the 2006-2007 SVSU State of the District report. The AHS profiles use supervisory union boundaries when presenting data for a particular community. Thus, the information below concerns the towns which are part of the Southwest Vermont Supervisory Union; they are Bennington, North Bennington, Pownal, Shaftsbury and Woodford.

Within these towns there are seven elementary schools (Catamount School closed at the end of the 2006-2007 year and the children were enrolled in the other elementary schools in Bennington), one middle school, and one high school.

Bennington School District		
School Name	Grades Served	2006-2007 Enrollment
Bennington Elementary	K-6	273
Catamount Elementary	K-6	294
Molly Stark Elementary	K-6	296
Monument Elementary	K-6	140
North Bennington School District		
North Bennington Graded	K-6	141
Pownal School District		
Pownal Elementary	K-6	234
Shaftsbury School District		
Shaftsbury Elementary	K-6	185
Woodford School District		
Woodford Hollow Elementary	K-6	29
Mount Anthony Union School District		
Mount Anthony Union Middle	7-8	560
Mount Anthony Union High	9-12	1,108

During the 2007-2008 year, the three remaining Bennington School District elementary schools serve grades K-5. The other towns' elementary schools still serve grades K-6. Mount Anthony Union Middle School serves grades 6-8 for students from Bennington and grades 7-8 for the other towns' students.

According to the Agency of Human Services, the total population for this community was 23,056 in 2005; the SVSU State of the District Report for 2006-2007 reports that 3,259 students attend schools in the supervisory union in grades K-12.

The Monitoring Team heard from teachers, parents and administrators that the community had high levels of poverty and children in the custody of the State of Vermont Department of Children and Families (DCF). The AHS profile supports those statements. The following information comes directly from that report:

Percent of children (ages 0-4) in families receiving welfare (proxy for poverty) in 2005

Vermont	SVSU Community	Difference
9.3%	16.0%	+ 6.7%

Percent of children (ages 5-17) in families receiving welfare in 2005

Vermont	SVSU Community	Difference
4.5%	8.5%	+ 4.0%

Teen pregnancy rate per 1,000 females ages 15-17 in 2004

Vermont	SVSU Community	Difference
15.8	24.4	+ 8.6

Percent of 8th grade students who have smoked in the past 30 days in 2005

	Vermont	SVSU Community	Difference
Cigarettes	8.0%	21.0%	+ 13.0%
Marijuana	8.0%	15.0%	+ 7.0%

Reports of child abuse and neglect per 10,000 children ages 0-17 in 2005

Vermont	SVSU Community	Difference
67.6	98.5	+ 30.9

2005 Custody rate for children(per 10,000 ages 10-17) deemed:

	Vermont	SVSU Community	Difference
Unmanageable	32.6	106.1	+ 73.5
Delinquent	53.8	135.9	+ 82.1

IV. Commendations for the LEA Related to the Indicators

In relation to Indicators 5 & 6, the following efforts and/or initiatives have been implemented by the SVSU. These activities have been recognized as effective components in the SVSU's system for improving student outcomes.

- The Early Education program has established and strengthened partnerships in order to provide services for children on IEPs in community based programs, for example the integrated classroom in the North Bennington and Pownal Head Start Programs.
- There was an extraordinary level of commitment to provide a free, appropriate public education to children on the part of parents, teachers, and administrators who were interviewed.
- There is a deliberate effort to keep most kids within SVSU schools or programs.
- Assistive technology is used effectively in some alternative programs.
- SVSU has close partnerships with higher education institutions including Bennington College, Castleton State College, and the University of Vermont to help support students, eg. Bridging program, Quantum Leap, I-Team.
- Several parents of children in early education and K-12 programs report that their opinions are valued in team meetings.
- Several community-based early education teachers report that the partnership with the SVSU early education programs has contributed to their own professional development.
- SVSU seeks additional funding through grants and other sources to maintain and strengthen partnerships in the early education and K-12 schools and programs.
- The Monitoring Team observed effective co-teaching models in the early education programs and in Mount Anthony Union Middle School (MAUMS) and Mount Anthony Union High School (MAUHS).
- There were some efforts at all grade levels to integrate children from alternative programs with their peers in general education classrooms.
- The various school, program and central office staff were very responsive and helpful during the monitoring visit.

V. LEA Findings Related to the Indicators

The Monitoring Team must validate a concern through three separate sources of data to issue a finding. These triangulations of data make certain that the information is truly valid and reliable. SVSU must respond to these findings in the improvement plan. Other issues or areas of concern (see Section VI of this report) that cannot be triangulated are identified, but they do not rise to the level of a finding. The Southwest Vermont Supervisory Union is encouraged to consider these issues and concerns within their Improvement Plan.

Finding I: The Educational Support Systems (ESS) (including support and remedial services, instructional and behavioral interventions and accommodations) in SVSU schools are not integrated to the extent appropriate with the general education curriculum. 16 V.S.A. § 2902

Supporting Evidence

1. Many staff and central office administrators reported that instruction in general education classrooms is not the Least Restrictive Environment for those students currently placed in alternative programs.
2. Many parents who were interviewed and whose children are placed in alternative programs reported that they support their child's current placement in an alternative program. They reported feeling that accommodations, modifications, supplemental aids and supports in general classrooms are not available to their children and that their children are not at an academic level to progress in the general education environment. They felt placement in an alternative program, even if it was outside of their neighborhood school, was the only option to get the needed supports for success for their children.
3. Student file reviews indicated that students in alternative programs receive their physical education through Adaptive Physical Education (APE) services rather than through general education courses. Decisions for APE are made based on entrance into the alternative programs rather than on student needs for adaptive or special physical education.

Corrective Action

A collaborative team including general and special educators, administrators and parents shall review the general education curriculum in light of the Grade Expectations (GEs) and develop a comprehensive system of supports for all students. The team shall consider both actual grade level GEs and instructional level GEs and make recommendations regarding differentiated instruction, modifications, accommodations, supplementary aids and services to demonstrate that barriers to the participation of students with disabilities in the general education environment are addressed in a manner other than solely by placement in separate programs. The team needs to identify and provide professional development regarding differentiated instruction, curriculum modifications, accommodations, supplementary aids and services to all general and special education teachers.

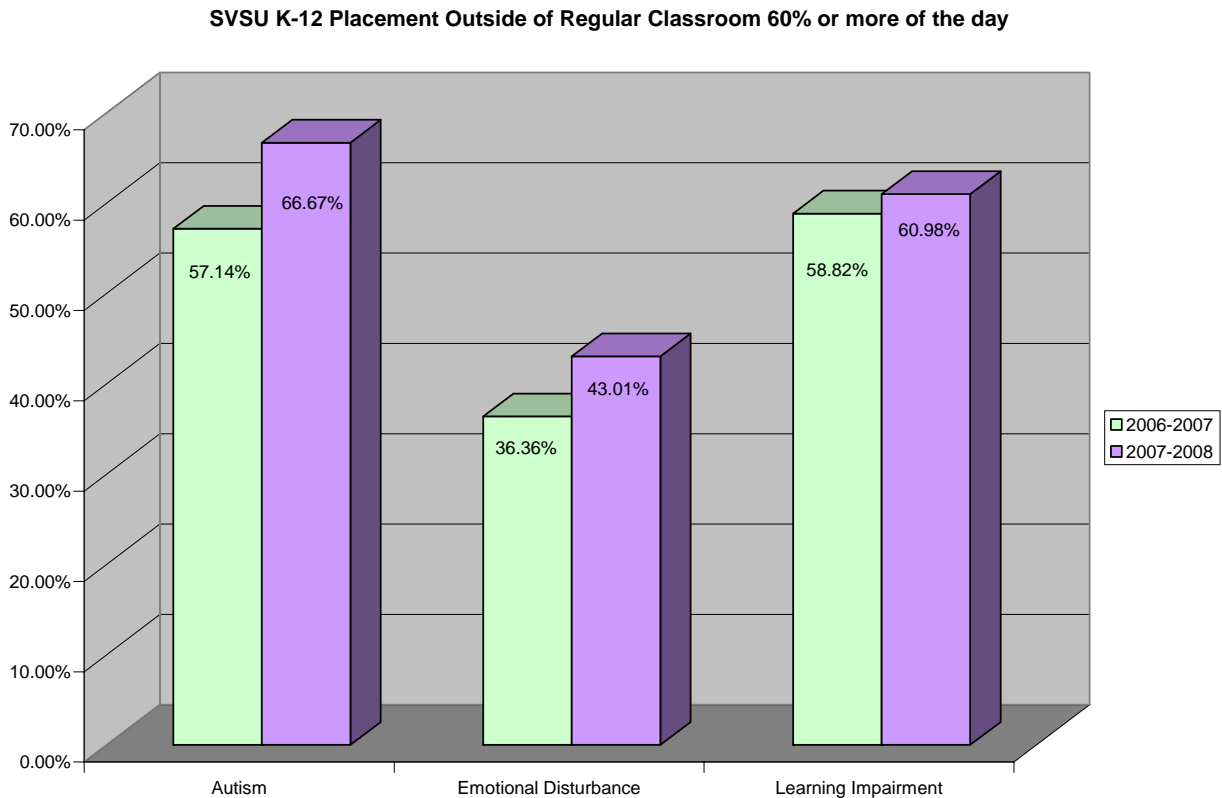
Required Evidence of Correction

- Documentation of team's review and plan for development and implementation of the comprehensive system of supports for all students.
- Documentation of professional development needs.
- Documentation of the implementation of the professional development.

Finding II: Possible barriers to full participation are not addressed by the provision of accommodations, modifications, and supplementary aids and services rather than by placement in separate programs. Placement decisions are not always made on the basis of the student's individual circumstances but on the basis of the student's disability category.
VT Rule 2364.1

Supporting Evidence

1. Child Count Data from 2006-2007 indicated that Learning Impairment (LI), Autism Spectrum Disorder (ASD) and Emotional Disturbance (ED) were three disability categories in which more than 25% of students were not being integrated in the general education class for at least 80% of the time. As shown in the graph below, 2007-2008 data shows that this is still the case for those categories.



2. Interviews with staff and parents indicate that there are specific K-12 programs designed for these three disability categories. This is supported by several interviews with staff in which people stated the following in some form, “If you build it, they will fill it”.
3. A review of disability categories of students currently placed in several of the alternative programs indicates that while there is some variety of diagnoses, there is a distinct majority of ASD diagnoses in the programs identified ASD programs by staff and parents. The same is true of programs which were identified by staff and/or parents as ED programs.

Corrective Action

The collaborative team shall review the alternative programs and school based supports to fully describe and define the individual school and SVSU continuum of placements. Individual IEP teams must review the full continuum of placements and supports available to determine if more students with autism and a learning impairment specifically could have their needs met in a manner other than removal from the general classroom.

Required Evidence of Correction

- Documentation of a fully articulated continuum of placements.
- Documentation of implementation of fully articulated continuum of placements as a guide for IEP teams making placement decisions.
- Documentation of training of general and special educators concerning the continuum of placements.
- Documentation of a means of evaluating effectiveness of guide on placement decisions.

Finding III: Placement decisions are not made in conformity with the LRE provisions by a group of people, including the parents, knowledgeable about the child, the meaning of the evaluation data, and the placement options. 34 CFR §300.116; 20 U.S.C. 1412(a)(5)

Supporting Evidence

1. According to staff interviews, entrance and exit Criteria for many programs which involve the removal of students from the general education environment are at times vague or lacking or not followed.
2. Parents who were interviewed expressed that often a student enters a program and never leaves.
3. Entrance criteria for the SVSU alternative programs are written, but are not consistently implemented. Several staff members and parents indicate there are practices (“unwritten policies”) regarding placement decisions that deviate from the written criteria.
 - a. The Monitoring Team found no evidence of exit criteria for any alternative programs.

- b. The Monitoring Team heard many anecdotal stories regarding student progress and transition from programs; however, no evidence was found of data collection systems for making informed decisions.

Corrective Action

A collaborative team must review the existing policies and procedures regarding entrance and exit criteria for SVSU alternative programs (ACORNS, ALP, IDEALS, PLUS, STEP, V-19 and any other) and current practices in entering and exiting students in said programs. The team shall develop clear procedures and methods for collecting data regarding the entrance into and exit from alternative programs to ensure that students are placed based on individual circumstances and not on the basis of the student's disability category.

Required Evidence of Correction

- Documentation of the review of policies and practices.
- Documentation of revised policies.
- Documentation of appropriate implementation of said policies.
- Documentation of training of general and special educators and administrators regarding policies
- Documentation of process to inform parents regarding policies

Finding IV: Placement decisions are not always made according to procedures outlined in regulation, namely that the decision be made annually and as close as possible to the child's home; VT Rule 2364.1(b)(2)(i)(C). In the case of out of neighborhood school placement, there was an improper use of individuals acting as a local education agency (LEA) representative; VT Rule 2362.2.2(b)(1).

Supporting Evidence

1. According to parent and staff interviews, there is a lack of support, communication and connection to home community for students who leave their home school to join an alternative program.
2. Staff and parent interviews demonstrated that there is an improper use of LEA representatives from school of placement rather than from neighborhood school.
3. K-12 files reviewed lacked documentation of on-going contact with families, outside agencies, and home school.

Corrective Action

Ongoing communication between the neighborhood school and community are essential to the annual team decision regarding appropriate placement. The neighborhood school is the LEA responsible, and as such a representative from that community must be part of any team decision regarding a student's IEP, evaluation or placement. The collaborative team must review current policies and practices and

revise as appropriate to ensure that the neighborhood school is involved and informed in all decisions regarding students who are placed in any program outside of their neighborhood, even if the placement is in a public school within SVSU.

Required Evidence of Correction

- Documentation of the review of policies and practices.
- Documentation of revised policies.
- Documentation of appropriate implementation of said policies.
- Documentation of training of general and special educators and administrators regarding policies

VI. Areas of Concern Related to the Indicators

- High concentration of paraeducators in alternative programs may create an overdependence of the child and can impede effective transition to a general education classroom for the child.
- SVSU Curriculum, Instruction and Assessment meet and make decisions regarding curriculum expectations without collaborating with the Special Education program staff in the central office.
- File reviews and some interviews suggest that general school discipline policy and practices are not effective. The policies and practices do not keep children in the mainstream despite their behavioral issues.

VII. Non-compliance in Related Requirements

Areas of Noncompliance in Related Requirements

The following instances of non-compliance must be corrected within one year from the date of this report. The SVSU must include a response to each these areas in their Improvement Plan.

- Several files reviewed did not document adverse effect using three measures of one basic skill
- There were several reports of placement decisions being made prior to the IEP team meeting
- One IEP of a MAUMS student had not been updated from the elementary school IEP to reflect the services being delivered in the middle school.
- There was little or no documentation of supporting evidence regarding behavioral intervention plans, functional behavioral assessments, curriculum modifications/adaptations prior to an out of general education placement.
- All files lacked an access to records log.
- In one situation, a special educator was out of the building and her file cabinet was locked and no one (including the principal) had access to the files. If this is a system-wide practice, the Monitoring Team urges the SVSU to draft policy regarding access. If this is an isolated incident, it must be remedied.
- One file review indicated that a child was receiving Title I interventions and IEP services to address the same basic skill area.
- In at least one file, the Monitoring Team found paperwork concerning another child.

VIII. Improvement Plan Process

Upon receiving the final report following a Focused Monitoring visit, the LEA is required to initiate the development of an Improvement Plan (which includes improvement activities related to the priority indicator and correction of non-compliance) with your VTDOE Monitoring Facilitator within a period of 30 calendar days from the date of the final report. The Improvement Plan should be a comprehensive, interdisciplinary plan that targets LEA-wide improvement. In developing the plan, the LEA should consider the “findings related to the indicators”, “areas of concern related to the indicators,” “non-compliance in related requirements,” and the “supporting evidence,” “corrective actions,” and “required evidence of correction” contained within the findings. The VTDOE Monitoring Facilitator will provide technical assistance and consultation during the development of the Improvement Plan. It is important to note that improvement activities may extend beyond one year, but the correction of non-compliance must happen within one year from the date of written notification via the final report.

In order to assure that the Improvement Plan is comprehensive, interdisciplinary, and LEA-wide, the plan must be developed by a collaborative team which includes general and special education stakeholders. This plan must not be a uniquely special education response developed in isolation from other LEA initiatives. The VTDOE Monitoring Facilitator provides technical assistance to the team in the vein of a facilitator. The Monitoring Facilitator may not provide the technical assistance that the LEA identifies it needs, but rather functions as a liaison for needed services.

Development of the Improvement Plan will include:

- Use of the VTDOE template to develop the Improvement Plan
- Review the areas of noncompliance and the expected evidence of change in the final report
- Coordination of the Improvement Plan with other LEA initiatives
- Addressing the following components per activity:
 - What specific tasks/activities are planned to address the targeted area?
 - Why these particular tasks/activities were deemed most appropriate?
 - When the tasks/activities will be completed?
 - Who will complete the tasks/activities?
 - Why this activity will work to bring the LEA into compliance?
 - Who will monitor the progress and completion of activities?
 - What are the needed resources (fiscal, human) within/outside the LEA that will be used to implement change?
 - What are the deliverables, products, materials, documentation, or action plans that will be developed?
 - How will progress be monitored to ensure that the expected changes take place (self-assessment) and
 - What are the intended outcomes/impact related to the targeted area?

The VTDOE Monitoring Team reviews the LEA’s proposed Improvement Plan, requesting clarifications and revisions, as necessary. Upon approval of the Improvement Plan, the LEA is issued an approval letter that outlines the schedule of reporting the LEA’s progress monitoring to VTDOE. The purpose of this Monitoring Progress Report is to provide the LEA with a format in which to demonstrate evidence of their efforts to correct the deficiencies identified through the

Focused Monitoring process. In addition, the process allows the LEA to monitor and evaluate the success of their Improvement Plan activities. The scheduling of the progress reports depends on the complexity of the Improvement Plan and the individual needs of the LEA.

Prior to the one year anniversary of notification via the final monitoring report, an Evidence of Change review meeting is scheduled between LEA representatives and the VTDOE Monitoring Facilitator to assess whether the LEA has met or is making adequate progress towards meeting the required evidence of change at the expected standard as set by the collaborative team and approved by the VTDOE. Based on the results of the meeting, the VTDOE determines whether (1) the LEA has met the standards required and the Improvement Plan is officially closed, (2) the LEA has not met the standards required and additional time will be allowed with Improvement Plan amendments, or (3) sanctions will be imposed. The correction of non-compliance must occur within the one year timeline, the above refers to improvement activities related to the priority indicator.